



Fair Political Practices Commission

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NEWS ADVISORY

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Court hearing scheduled Jan. 16 on FPPC suit against Getty *Agency contends Wild Rose, LLC, used to funnel contributions*

Motions to dismiss a lawsuit by the Fair Political Practices Commission against Caroline Getty and her company, Wild Rose, LLC, for illegally funneling \$1 million in political contributions to support California ballot measures in 2000 and 2002, will be heard this Friday (Jan. 16) in Sacramento Superior Court.

The hearing, before Judge Shelleyanne W.L. Chang, will begin **at 9 a.m. Friday in Department 54 of Sacramento Superior Court, at 720-9th St.** (across the street from the main courthouse).

Attorneys for Getty, an heir to the Getty oil fortune, argue that the lawsuit, filed by the FPPC last Oct. 16, should be dismissed because it “does not state facts sufficient to constitute a cause of action.” Attorneys for the FPPC disagree, arguing that Getty made two \$500,000 contributions – one in 2000, and another in 2002 -- while concealing her identity as the contributor.

In both instances, according to the Oct. 16 complaint, she funneled the contributions through the Wild Rose company, and failed to disclose herself as the true source of the contributions.

The FPPC contends that in January 2000, Getty directed her wholly owned company, Wild Rose, LLC, established in the State of Washington, to make a \$500,000 contribution to the Nature Conservancy Action Fund of California to support two California ballot measures -- Proposition 12, a bond measure to finance the purchase of land for public use, and Proposition 13, a bond measure to finance water-quality improvement projects. Both measures were passed by voters.

The complaint alleges that Wild Rose issued a check for the \$500,000 contribution as directed, but did not have sufficient funds to cover it. Getty then supplied the funding for the check by transferring \$500,000 from her personal trust account to Wild Rose. Getty was not disclosed as the true source of the contribution -- either by Getty or by Wild Rose -- when the contribution was made.

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The complaint further alleges that Getty violated the Act by not filing a campaign statement disclosing the contribution, and that Wild Rose failed to file a campaign statement that disclosed Getty -- rather than itself -- as the source of the contribution.

The FPPC complaint also alleges a similar violation in January 2002, in which Getty again directed Wild Rose to make a \$500,000 contribution to the Nature Conservancy Action Fund, to support Proposition 40 on the California ballot. Approved by voters, Proposition 40 was a bond measure to purchase and improve park lands. At about the same time, Getty transferred \$500,000 from her personal trust account to Wild Rose, as the company did not have sufficient funds to make such a contribution. Upon receiving the transfer, Wild Rose issued a \$500,000 contribution check to support Proposition 40. At the time the contribution was made, Getty was once again not disclosed as the true source of the contribution.

Such conduct violates the Political Reform Act because it obscures the true source of the money. Under the Act, the court may award penalties ranging up to the amount of the undisclosed contributions. In this matter, the court can award up to \$5,000 for each of the four violations alleged in the first and second Causes of Action, and up to \$500,000 for the single violation alleged in the third Cause of Action, for total possible maximum penalties of \$520,000.

An administrative settlement – called a stipulation – is the FPPC’s most common method of prosecuting enforcement actions, with a maximum penalty of \$5,000 for each violation. The commission is also empowered under the Political Reform Act to file civil suits, with penalties ranging up to the amount not properly reported.

Legal documents in the case are available on the FPPC website at www.fppc.ca.gov. Go to “Litigation” on the left side of the home page.

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